

REGULAR MEETING OF THE JASPER COUNTY BOARD OF COMMISSIONERS
January 6, 2015

The Jasper County Board of Commissioners met this date at 8:15 A.M. in the Commissioners' Room, Suite 202, of the Jasper County Courthouse located at 115 West Washington Street, Rensselaer, Indiana, with the following members present: Kendell Culp, Richard E. Maxwell and James A. Walstra. Also present was the Auditor of Jasper County, Kimberly K. Grow; Deputy Auditor, Donna J. Horner; Highway Engineer/Supervisor, Jack R. Haberlin and the Attorney who represents the Commissioners, Eric Beaver. The meeting was called to order and those present stood and recited the Pledge of Allegiance led by Commissioner Walstra.

REORGANIZATION OF THE BOARD OF COMMISSIONERS: Mr. Maxwell made a motion to nominate Kendell Culp as President of the Board of Commissioners. Mr. Walstra seconded and the motion carried. Mr. Maxwell made a motion to nominate James Walstra as the Vice President of the Board of Commissioners. Mr. Culp seconded and the motion carried.

PAYROLL: Mr. Walstra made a motion to approve the Payroll Claim & Allowance Docket for the check date equal to December 30, 2014. Mr. Maxwell seconded and the motion carried.

MINUTES: Mr. Maxwell made a motion to approve the Minutes of the Regular Meeting held on January 6, 2015. Mr. Walstra seconded and the motion carried.

NEWSPAPER DESIGNATION FOR 2015: Mr. Maxwell made a motion to approve designation of the Rensselaer Republican, Remington Press and Kankakee Valley Post News as the three (3) newspapers to use for publishing legal notices for 2015. Mr. Walstra seconded and the motion carried.

RECORDER / REQUEST TO REPLACE PART-TIME POSITION: Beth Warren, Recorder, requested permission to replace one of her part-time positions. The part-time employee will work approximately 16 hours per week. Mr. Walstra made a motion to approve the request. Mr. Maxwell seconded and the motion carried.

ANIMAL CONTROL / UPDATE: Kristen Bahleda, Animal Control Director, reported that one of the Highway employees was able to fix the front door; however, there are still several remaining repairs that they are not able to fix. The estimate that was previously submitted by Schuh Construction included the outside kennel. Ms. Bahleda stated that it is not imperative right now to fix the outside kennel; therefore, a new estimate will be requested.

AIC LEGISLATIVE CONFERENCE: Kimberly Grow, Auditor; Vickie Bozell, Clerk; and Beth Warren, Recorder, have requested approval to attend the AIC Legislative Conference in Indianapolis on Tuesday, February 3 and Wednesday, February 4. The costs incurred will be registration fees, lodging and some meals. Mr. Walstra made a motion to approve the request. Mr. Maxwell seconded and the motion carried.

TREASURER / SPRING MEETING: Carla Anderson, Treasurer, has requested permission for herself and Tammy McEwan, Deputy, to attend the Indiana County Treasurers Association Spring meeting on March 4 in Plainfield. The cost of registration will be \$25.00 per person. Mr. Maxwell made a motion to approve the request. Mr. Walstra seconded and the motion carried.

TREASURER / ANNUAL CONFERENCE: Carla Anderson, Treasurer, has also requested permission for herself and Tammy McEwan, Deputy, to attend the Treasurers Annual Conference on August 5, 6, and 7 in Indianapolis. The cost of the registration will be \$150.00 per person. Other expenses will include lodging. Before giving approval, Mr. Maxwell requested clarification on the number of nights of lodging. The request will be readdressed at the next meeting.

HEALTH DEPARTMENT / 2015 MEETINGS: Michele Taylor, Sanitarian, and Christy Fisher, Assistant Sanitarian, submitted the dates for the IEHA meetings that will be held in 2015 as well as the dates for the Spring and Fall Conferences. Mr. Walstra made a motion to approve. Mr. Maxwell seconded and the motion carried.

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IBC TRANSITIONS CLASS: Mary Scheurich, Director / Planning & Development, requested permission to attend the ICC 2006-2012 IBC Transitions Class sponsored by the Indiana Association of Building Officials. The training seminar will be held at the Brownsburg Fire Territory in Brownsburg on January 22. The cost of the seminar is \$150.00. Mr. Maxwell made a motion to approve the request. Mr. Walstra seconded and the motion carried.

PRESENTATION OF PLAQUE: William Campbell was presented a plaque for his 29 years of service to the Jasper County Health Board.

ARROWHEAD RC&D / APPLICATION FOR FUNDING: Lou Nagel, Representative for Arrowhead RC&D, presented an Application of Funding that has been made available for the ten (10) counties that make up Arrowhead RC&D. The purpose of the grant is to encourage conservation of the natural resources and community development. The maximum amount awardable for any grant is \$5,000.00. Applications for the first grant cycle will be due by February 28, 2015.

FREIJE TREATMENT SERVICES / EASY WATER SYSTEM: Based on proposals submitted at a previous meeting, discussion took place in regards to installing an Easy Water System at Community Corrections. Dean Freije, Chief Sales Officer / Easy Water, will be contacted in regards to any changes to the original quote which included a labor discount for all six buildings. The original quote for the one (1) system at Community Corrections was \$4,580.00. Mr. Maxwell made a motion to approve the installation at Community Corrections for a cost of \$4,580.00. Mr. Walstra seconded and the motion carried.

CORONER / BUDGET ITEMS: Discussion took place in regards to the Coroner's budget. Mr. Culp expressed concern that several items within the budget are paid at a flat amount and do not require any documentation. Mr. Maxwell stated that he also feels that there needs to be some verification.

DRUG TESTING SERVICES / HIGHWAY DEPARTMENT: Gail Ackerman, Highway Department, stated that she is in the process of renegotiating the quarterly drug testing for the Highway Department. The company that we currently use, which is located in Nebraska, is raising the annual fee from \$0 to \$400.00 per year. Ms. Ackerman stated that Working Well has a \$100.00 annual fee; however, we are still in the negotiating process. Ms. Ackerman asked if the Commissioners would approve prepay if Working Well asks for that type of payment? Mr. Maxwell stated that he is not sure that this type of charge would classify as a prepayment. Mr. Maxwell made a motion to approve the \$100.00 annual fee with Working Well for the Highway employees through prepayment (if allowable). Mr. Walstra seconded and the motion carried.
Please note that, upon review, this is not an allowable prepay expense.

COUNTY CAR / HEALTH DEPARTMENT: Mr. Culp stated that the Health Department has made a request to have one of the county cars dedicated to the Annex. The car would still need to be made available for those who are attending conferences, training, etc. Mr. Walstra made a motion to locate one of the county cars (Taurus) at the Annex building. Mr. Maxwell seconded and the motion carried.

HEALTH BOARD / APPOINTMENT: Mr. Walstra made a motion to appoint Roberta Gutwein to the Jasper County Health Board. Ms. Gutwein will be taking the appointment left open by the resignation of William Campbell. Mr. Maxwell seconded and the motion carried.

COMMUNITY CORRECTIONS ADVISORY BOARD / APPOINTMENT: Mr. Walstra made a motion to appoint H. Dan Stalbaum to the Community Corrections Advisory Board as a replacement for Rick Johnson. Mr. Maxwell seconded and the motion carried.

CIVIL DEFENSE / EMERGENCY MANAGEMENT DIRECTOR / APPOINTMENT: Mr. Walstra made a motion to reappoint Karen K. Wilson as the Civil Defense / Emergency Management Director. Mr. Maxwell seconded and the motion carried.

VOLUNTEER POLICY: Mr. Culp stated that direction is needed in regards to how we should proceed with creating a volunteer policy. Attorney Beaver stated that, according to Stace Pickering of Consolidated Insurance, there are "blocks" on the insurance policy that will insure an "x" amount of volunteers under workman's compensation for "x" amount of dollars.

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VOLUNTEER POLICY CON'T: There is then the decision as to whether or not you want to increase to the next "block". Attorney Beaver suggested that someone within the county be designated to coordinate among all department heads a roster of all of the volunteers. The coordinator would be in charge of keeping the roster current and submit any changes to the insurance company. Mr. Walstra asked how the reserves for the Sheriff's department are insured? Attorney Beaver expressed concern that if the county is going to begin paying to keep the volunteers covered, to what extent are the volunteers actively working? Mr. Culp suggested that Kent Irwin be contacted in regards to a policy.

PETITION TO VACATE A PORTION OF ROAD IN KANKAKEE TOWNSHIP / NIPSCO: The continuation of the public hearing that was held at the December 1, 2014 meeting was opened at this time. The public hearing was held to address the filing of a petition by Northern Indiana Public Service Company (NIPSCO) for the vacation of a portion of County Road North 250E between County Road East 1450N and County Road East 1350N, a public way in Kankakee Township. Larry Graham, a NIPSCO representative, explained that the reason for the request is due to a need for an expansion of the landfill facilities at the Schahfer Generating Station. Based on conversations that we have had and comments from the last meeting, we realize that the road still continues to be used. Mr. Graham continued to state that they would be willing to build an alternate road on NIPSCO property if CR 250E is vacated. Butch Jeffries, Walker Township Trustee, asked if the road would be deeded to the County? Mr. Graham replied that it is their intention that it would become a county road. In response to a concern from Mr. Jeffries, Amy Lahman, NIPSCO, replied that NIPSCO is responsible for the landfill for the duration of ownership as well as a 30-year period afterwards in which we have to maintain groundwater monitoring and do corrective action. Mr. Jeffries stated that he doesn't have a problem with the Schahfer Generating Plant; however, I do have a problem with importing fly ash into Jasper County and not receiving a tipping fee for it. That tipping fee should be used in case you have to clean it up somewhere down the road. Ms. Lahman stated that, as part of the permitting process, we do have to prove that we do have the financial responsibility on an annual basis. Hans Markland, citizen, also expressed several concerns. Dan Stalbaum, Kankakee Township resident, expressed his appreciation for NIPSCO getting together with the Commissioners to work out a solution to this problem. Mr. Culp stated that discussions will continue to take place with NIPSCO in hopes that a vote can take place at the February meeting.

At this time, there was a short break.

PERMISSION TO REPLACE POSITION / SHERIFF: Sheriff Risner reported that his Civil Process Deputy, Russ Sullivan, retired effective December 31 after 26 years of service. In 2014, we had approximately 3,910 civil papers served plus 50 sheriff's sales. Permission was requested to refill the position. Mr. Maxwell made a motion to approve the refilling of the position due to the retirement of Mr. Sullivan. Mr. Walstra seconded and the motion carried.

Sheriff Risner stated that Tim Bruce, Merit Captain, has expressed interest in retiring from his position and moving to the position of Civil Process Deputy. The Civil Process Deputy is a civilian position. Mr. Bruce also has 26 years of service with the department. With Mr. Bruce moving to the Civil Process Deputy position, Sheriff Risner stated that he now has a Merit Deputy position open that he would like permission to replace. Mr. Walstra made a motion to approve the refilling of the Merit Deputy position. Mr. Maxwell seconded and the motion carried.

ORDINANCE / DUTY WEAPON RELEASE: Sheriff Risner presented an Ordinance that would provide for the retention of issued duty weapons and issuance of retired identification for certain retired sheriff's office members. Attorney Beaver has reviewed the ordinance. Per the ordinance, the Jasper County Commissioners delegates to the Jasper County Sheriff's Merit Board the authority to determine whether a retiring Deputy or Sheriff is in all respects qualified to receive this recognition. Mr. Walstra made a motion to approve **Ordinance No. 1-06-2015A**. Mr. Maxwell seconded and the motion carried.

CLEAR ARMOR WINDOW LAMINATE / SHERIFF: Sheriff Risner stated that this past year, the Rensselaer Police Department's lobby window was attacked by a subject who actually pushed the pass-through window out and attacked the Communications Officer. As the correctional facility and the 911 center for the County, we do have some areas within the 911 center that I am concerned with on security issues.

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CLEAR ARMOR WINDOW LAMINATE / SHERIFF CON'T: There is a large window that is exposed to the outside as well as the window going into the current 911 office. The windows in the lobby area are shatter resistant; however, they are not shatter proof. There is a product, Clear Armor, which is being implemented in the school systems around the nation and other security threat oriented facilities. Clear Armor is an application laminate process that goes on the windows clear. In response to a question from Mr. Culp, Sheriff Risner replied that they will check into seeing if the cost can be paid for out of the Drug Interdiction Fund. Mr. Maxwell made a motion to approve the quote from Clear Armor. Mr. Walstra seconded and the motion carried.

911 UPGRADE / SHERIFF: Sheriff Risner stated that, as part of the 2015 budget, we will be replacing our current 911 servers and upgrading the 911 system. The system was put into place prior to October of 2008 with a system life of 5-6 years. Sheriff Risner stated that Ryan King, E-911 Director, worked very hard to get a reduction in monthly cost as well as a reduction in overall install. Mr. King stated that the first system had a lot of "bells and whistles" that were never used; therefore, he went through and took them out of the new quote. The estimated annual 911 fee surplus is \$42,000.00. The estimated 911 fee surplus after 6 years is \$252,000.00. Mr. King stated that this shows that we are self-sustaining to be able to fund these upgrades every 5-6 years. Mr. Walstra made a motion to approve the 911 upgrade. Mr. Maxwell seconded and the motion carried.

PSAP / SHERIFF: Ryan King stated that we received communications from the statewide 911 board last Friday wanting to certify that we are in fact one PSAP. We did have a conference call with Barry Ritter yesterday to talk about our current position with having Rensselaer, DeMotte and the Sheriff's department. Mr. Ritter stated that we should proceed with filling out three verifications. Mr. Ritter has stated that funding will not be in jeopardy at this time. Further discussion took place. Mr. Maxwell made a motion to approve the three verifications. Mr. Walstra seconded and the motion carried.

TOWER SPACE / COUNTY: Derich Schultz, Midway Electronics, has requested permission to utilize the old Sheriff's tower that is located in the county's employee parking lot. In response to a question from Mr. Culp, Sheriff Risner replied that we still have the satellite sites at Tefft and at Belstras. There is no charge to the county to use these sites. Ryan King stated that there is no true formula on how to calculate rent of a tower. It is good real estate since it is the only tower in downtown Rensselaer.

SECURITY / COUNTY BUILDINGS: Discussion took place in regards to possible security systems at all county buildings. Sheriff Risner asked if there was any chance of getting some type of security cameras for the outlying buildings? The decision was made to have Bill Batley, IT, proceed with putting together quotes for an entire security package.

ECONOMIC DEVELOPMENT ORGANIZATION / UPDATE: Kevin Kelly, Economic Development Director, reported that he is currently working on creating the 2015 Guide to Jasper County. Mr. Kelly suggested that consideration be put into upgrading the job previously held by Jasmine Hall. Mr. Kelly stated that he is thinking along the lines of an additional \$1,000.00 per month on top of the existing salary.

FARM THEFT / MARKLAND: Hans Markland, citizen, once again expressed his concern with the amount of theft taking place in the north end of the county. Information was submitted to be entered into the minutes – *see attached. Mr. Markland wanted the comments in the record to read that he did not want to be accosted out in the hallway. We need security up there (north end of county). I wish we had just 1/10 of the security that you have at the Courthouse.

EASEMENT AGREEMENT / HARRISON STREET PROPERTY: In regards to the demolition of the Harrison Street property, Attorney Beaver submitted an Easement Agreement with the adjacent property owner to give the County a temporary construction easement. Mr. Maxwell made a motion to approve the Easement Agreement. Mr. Walstra seconded and the motion carried.

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COUNTY-OWNED STRIP OF LAND / HURST: Discussion had taken place at the prior month's meeting in regards to a small parcel that the County had obtained through a tax deed in 1941. The 20' strip is affecting the purchase of another piece of property. Attorney Beaver explained that there is a process by which the County can essentially transfer away property that it has acquired through a tax deed. The process involves giving notice to adjacent property owners which allows for them to essentially submit a "bid". Attorney Beaver has sent a letter to Traci Hurst requesting that she follow-up after the closure of the real estate transaction. Once Attorney Beaver hears back from Ms. Hurst, a decision will be made in regards to how to proceed.

JASPER COUNTY AIRPORT / PROPERTY RESOLUTION: Brad Cozza, Airport Manager, stated that one thing that has really come to their attention since the last meeting, which is of significant concern to the Airport, is our inability to secure any short-term financing in the absence of a deed. Mr. Culp asked are you saying that the Board would consider using that property as collateral if you had title? Mr. Cozza replied that he thinks that the bank would perceive it that way. There are assurances that land doesn't just disappear when it's federally obligated or committed. Mr. Culp asked if there was a possibility of the farmground being leased back to the County giving us the ability to sublet it. Part of the concern is the loss of revenue for the county general fund for what is now producing \$275.00 per acre. Mr. Culp stated that one of the other concerns of the airport is access by the farmer to those parcels. Mr. Culp stated that he floated the idea to Mr. Cozza about everything north and south deeded and everything east and west would continue like it is. After making several phone calls last night, Mr. Cozza stated that there were several concerns. On the engineer's side, there was a concern over the FAA and revenue. These lines are historic lines that date back as early as 1951. If the County were to charge us rent for the equivalence of the lost farmground revenue, the FAA would very easily see through that as simply revenue that is going from the airport to the County. This would violate one of our assurances that we will be as self-sufficient as we possibly can. Another concern is the complexity of the operation of a lease and a deed together. In reply to the statement regarding the airport being self-sufficient, Mr. Maxwell stated that you are depending on all of the County residents to support that airport. You are not self-sufficient. Mr. Cozza replied that, like many airports, we are supported by federal dollars as well as local dollars. Mr. Maxwell stated that a self-sufficient business is one that produces the income to run the whole share of their business. Mr. Cozza replied that if you look around at all the airports around us nationwide you will find that is the goal all of us aspire to. The big commercial service airports are the only ones that you will see that are fully self-sufficient. The FAA does not like to see crops within 5,000 to 10,000 feet of a public use airport. That's part of our economic viability. Mr. Maxwell asked what percentage of the airport's money currently comes from the tax base? Mr. Cozza replied that he does not know the percent. We generate roughly \$22,000.00 in yearly fuel sales and roughly the same amount in hanger sales. The approved budget for our operating fund this year was \$235,675.00. After further discussion, Mr. Walstra stated that we're talking about approximately \$5,000.00 in rent. I don't see it as an advantage to a taxpayer to have that as income. Mr. Culp stated that we have three (3) options: (1) A deed to the 132.21 acres with reversionary clause; (2) a 99-year lease; or (3) a hybrid of the two. Mr. Cozza stated that you're making an assumption that three (3) is really an option for the airport. The Airport Board was not very encouraged by that option and expressed significant concerns. Mr. Walstra made a motion to choose the deed with a reversionary clause; however, he would like something that states that the County is not obligated to take the property back if there is some type of damage. Mr. Walstra would also like the stipulation that no money can be borrowed against the property. Mr. Maxwell stated that he has to stick with the lease option. In speaking with the constituents that put me in office, I've had a lot more say not to deed it than to deed it over to the airport; therefore, I can't second the motion. Mr. Culp stated that he feels the details of the agreement that is yet to be determined and negotiated is really where this decision is going to be made. If we can't get that agreement than what we do today is irrelevant. With that being said, Mr. Culp seconded the motion made by Mr. Walstra. Motion carried.

Discussion took place in regards to the current farm leases. Attorney Beaver clarified that all of the land that was previously subject of the airport lease is now going to be part of the deed and transferred to the Airport Authority. Mr. Maxwell replied that a portion of the county lease is also being transferred to the Airport Authority. The jail lease is the only one that will not be affected. After lengthy discussion, Attorney Beaver suggested that, if the airport does oppose the height restrictions, it could just simply be a diminishment in the value of what the tenant is entitled to under the lease.

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JASPER COUNTY AIRPORT / PROPERTY RESOLUTION CON'T: The Airport Authority would then reimburse the tenant the difference in the diminishment of the value of the property. Mr. Cozza replied that he would personally feel better in defending that to the FAA than the alternatives mentioned.

There being no further business, Mr. Maxwell made a motion to continue the meeting until Tuesday, January 20 at 8:30 A.M. Mr. Walstra seconded and the motion carried.

JASPER COUNTY BOARD OF COMMISSIONERS:

Kendell Culp, President

James A. Walstra, Vice President

Richard E. Maxwell, Member

ATTEST:

Kimberly K. Grow, Auditor of Jasper County

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